

Augusta University

Policy Library

Periodic Assessment of Health Care Components and Business Associates

Policy Manager: Office of Compliance, Ethics and Risk Management

POLICY STATEMENT

In order to comply with the Board of Regents of the University System of Georgia policy 7.13 *Designation of USG as a Hybrid Entity Under HIPAA*, the Privacy Office will lead the effort to conduct an annual assessment of departments and business units to determine if amendment to Augusta University's Hybrid document is required.

AFFECTED STAKEHOLDERS

Indicate all entities and persons within the Enterprise that are affected by this policy:

- Alumni Faculty Graduate Students Health Professional Students
 Staff Undergraduate Students Vendors/Contractors Visitors
 Other: Include any other stakeholders not listed above.

PURPOSE FOR POLICY

“Pursuant to the Board of Regents of the University System of Georgia policy 7.13 Designation of USG as a Hybrid Entity Under HIPAA, “Any portion of USG engaged in a covered function or performing business associate activities for another component of USG engaged in a covered function, as those terms are defined by HIPAA, is hereby deemed part of the Health Care Component (HCC) of the USG Hybrid Entity. The University System Office (USO) and each USG Institution will be responsible for identifying the components, business units, colleges, or schools that are part of the HCC.”

*Therefore, Augusta University (AU) is responsible for identifying any portion of AU that would either fit the definition of a **Covered Component** or may perform **business associate** functions (Supporting Covered Component) for the portions of the HCC that fit the definition of a covered entity.”*

This policy will establish the requirement for a periodic assessment of Augusta University to identify departments and/or business units that fit the definition of a Covered Component or which perform business associate functions. It will also establish the responsibility of the workforce member responsible for any current or new process that plans to add the creation, receipt, maintenance or transmission of protected health information (PHI) to the current or new process to notify the Office of General Counsel and the Privacy Office prior to the PHI being created, received, maintained, or disclosed. The time to obtain a review and approval of the inclusion of PHI in the process must be allowed prior to PHI being disclosed. This review includes obtaining applicable Business Associate Agreements (BAA)s and any necessary IT security reviews.

Office of Legal Affairs Use Only

Executive Sponsor: VP, Audit, Compliance, Ethics and Risk Management/CCO

Next Review: 4/2023

DEFINITIONS

Covered Components. All components that would meet the definition of a covered entity if those components were separate legal entities.

Business Associates. A person or entity that performs certain functions or activities that involve the use or disclosure of protected health information on behalf of, or provides services to, a covered entity. A business associate is not a member of the covered entity's workforce.

PROCESS & PROCEDURES

The Privacy Office will conduct a periodic survey of departments and business units of Augusta University to determine if any units are performing activities which would define it as a covered component or business associate.

REFERENCES & SUPPORTING DOCUMENTS

[Augusta University Hybrid Designation](https://www.augusta.edu/services/legal/)
(<https://www.augusta.edu/services/legal/>)

[Board of Regents of the University System of Georgia policy 7.13 *Designation of USG as a Hybrid Entity Under HIPAA*](https://www.usg.edu/policymanual/section7/C2869)
(<https://www.usg.edu/policymanual/section7/C2869>)

[HIPAA Privacy Rule](https://www.hhs.gov/hipaa/for-professionals/privacy/index.html)
(<https://www.hhs.gov/hipaa/for-professionals/privacy/index.html>)

[HIPAA Breach Notification Rule](https://www.hhs.gov/hipaa/for-professionals/breach-notification/index.html)
(<https://www.hhs.gov/hipaa/for-professionals/breach-notification/index.html>)

[HIPAA Security Rule](https://www.hhs.gov/hipaa/for-professionals/security/index.html)
(<https://www.hhs.gov/hipaa/for-professionals/security/index.html>)

[HIPAA Transactions and Code Sets Rule](https://www.hhs.gov/hipaa/for-professionals/other-administration-simplification-rules/index.html)
(<https://www.hhs.gov/hipaa/for-professionals/other-administration-simplification-rules/index.html>)

[Notice of Privacy Practices](https://www.augusta.edu/dentalmedicine/patientservices/policies/privacy.php)
(<https://www.augusta.edu/dentalmedicine/patientservices/policies/privacy.php>)

[Business Associates](http://www.hhs.gov/hipaa/for-professionals/privacy/guidance/business-associates/index.html)
(www.hhs.gov/hipaa/for-professionals/privacy/guidance/business-associates/index.html)

[HIPAA Hybrid Entity](https://www.hhs.gov/hipaa/for-professional/faq/522/can-a-postsecondary-institution-be-a-hybrid-entity-under-hipaa/index.html)

(www.hhs.gov/hipaa/for-professional/faq/522/can-a-postsecondary-institution-be-a-hybrid-entity-under-hipaa/index.html)

RELATED POLICIES

University System of Georgia policy 7.13 *Designation of USG as a Hybrid Entity Under HIPAA*

APPROVED BY:

Executive Vice President for Academic Affairs and Provost, Augusta University

Date: 4/2/2021

President, Augusta University

Date: 4/2/2021